

REMARKS

Claims 1 – 13 are pending in the application. Claim 9 is allowed. Claims 4 and 6 are indicated as allowable. Claims 1 – 8, and 10 - 13 are rejected under 35 USC §§ 112 and 102. Applicants respectfully traverse the rejection of the claims, as explained in the attached Remarks.

Summary of Interview

In an interview conducted by telephone between the Examiner herein and the undersigned Applicants' Attorney on 2 - 4 April 2003, it was agreed that claims 4, 6, and 9 – 13 are allowable in view of prior indications of allowability and Applicants' Response to Office Action filed herein 19 August 2002.

It was also agreed that the amendments entered with the Response to Office Action filed entered herein 19 August 2002 are sufficient to overcome the rejection of the claims under 35 USC § 112 stated at page 2 of the Detailed Action in the Office Action mailed 20 November 2002.

Thus the only remaining issue is the rejection of claims 1 – 3, 5, 7, and 8 under 35 USC § 102. Applicants respond to that rejection as stated below.

Rejections under 35 USC § 102(b)

At page 2 of the Detailed action the Examiner has continued his rejection of claims 1-3, 5, 7, and 8 under 35 U.S.C. § 102(b), as anticipated by Ollila.

Each of claims 1 – 3, 5, and 7, as presented, recites an electromagnetic drive within a compressor, wherein the control system supplies a pulse width modulated drive signal defining an alternating current (AC) waveform to the electromagnetic drive so as to provide a predetermined pump flow rate. Claim 8 recites a control system which

supplies a pulse width modulated drive signal to an electromagnetic drive, wherein the electromagnetic drive includes coils having alternating current, the amplitude and repetition rate of the alternating current being controlled by the pulse width modulated drive signal. No such drive or control system is disclosed or suggested in the cited art. Neither Ollila nor any other cited reference makes any mention whatever of any AC or other specific type of drive signal to the electromagnetic drive, or discloses any means for creating an AC drive signal from a pulse width modulated signal, such as, for example, the "H" bridge driver (15) disclosed at page 5, line 23 – page 6, line 2; in Figure 1; and elsewhere in Applicants' specification.

Nor does Ollila or any other cited reference provide, alone, or in any combination, any motivation for creating or using such an AC drive signal, such as the motivation cited at page 6, lines 23 et seq. in Applicants' specification.

Applicants respectfully submit that the cited references fail to either anticipate or render their claims obvious, and request reconsideration and allowance of the claims.

Addition of Claims

Applicants hereby add new claims 15 – 19. Each of claims 15 – 19 is clearly distinguished over the cited art. Support for claims 15 – 17 is found at 2, line 27 to page 3, line 5; page 3, line 23 to page 4, line 2; page 1, lines 16 – 22; page 6, lines 23 – 30; page 8, lines 5 – 11, and elsewhere throughout the application, including the claims as originally filed. Support for claims 18 – 19 is found at page 4, line 29 – page 6, line 30, and elsewhere throughout the application. No new matter is added by the addition of the claims.



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CONCLUSION

Applicants believe that they have fully responded to the Examiner's concerns and that each of the claims is in condition for immediate allowance. Applicants respectfully request reconsideration and immediate allowance of all the claims.

Applicants request that any questions concerning this matter be directed to the undersigned at (212) 895-2906.

I certify that this paper, together with any documents referred to as attached or enclosed, is being deposited this date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,

Dated: 20 May 2003

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